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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application Number	10/626,094
Filing Date	07/24/2003
First Named Inventor	Curbelo
Art Unit	2881
Examiner Name	Zia R. Hashmi
Attorney Docket Number	12080009P009aUS

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement of the Substance of the Interview Comments of Statement of Reasons for Allowance Return Post Card Authorization to Charge Deposit Account
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Sills Cummis Epstein & Gross, PC		
Signature			
Printed name	Phillip Braginsky		
Date	April 22, 2005	Reg. No.	40,527

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Gayitri L. Chandiramani	Date	April 22, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: 12080009P009aUS


In re Application of: **Raul Curbelo**
Patent Application For: Infrared Source for Spectrometers
Application No.: 10/626,094
Filing Date: 07/24/2003

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF SERVICE BY US POSTAL SERVICE EXPRESS MAILING

I hereby certify that the listed patent application documents are being deposited with the United States Postal Service with sufficient postage as an Express Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 dated: April 22, 2005, bearing express mail number ED242969839US

1. Comments of Statement of Reason for Allowance
2. Statement of the Substance of the Interview
3. Transmittal Form
4. Certificate of Express Mailing
5. Return Postcard
6. Authorization to Charge Deposit Account



Gayatri Chandiramani

**SILLS CUMMIS
EPSTEIN & GROSS P.C.**
30 Rockefeller Plaza
New York, NY 10112
Tel: (212) 643-7000



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. 12080009P009aUS

In re Application of: **Raul Curbelo**

Filed: 07/24/2003

Group Art Unit: 2881

Application No: 10/626,094

Examiner: Zia R. Hashmi

For: INFRARED SOURCE FOR SPECTROMETERS

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Box
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Applicant believes that there is no fee associated with this type of filing, if the Applicant is incorrect the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 03-1250. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Philip Braginsky
Reg. No. 40,527

Date: April 22, 2005

SILLS CUMMIS EPSTEIN & GROSS P.C.
30 Rockefeller Plaza
New York, NY 10112
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO : 10/626,094 , CONFIRMATION NO: 8997
APPLICANT : RAUL CURBELO
FILED : 07/24/2003
TITLE OF INVENTION : INFRARED SOURCE FOR SPECTROMETERS
TC/AU : 2881
EXAMINER : ZIA R. HASHMI
DOCKET NO. : 12080009P009aUS (15684)
CUSTOMER No. : 43,309
DATE : APRIL 22, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

UNDER 37 CFR 1.2 & 1.333

Sir:

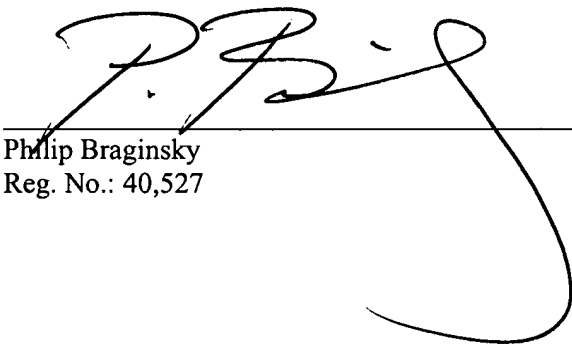
On February 28, 2005, the Examiner and myself conducted a telephonic interview on the pending claims in the above application. All independent claims were discussed. No prior art was referenced by the Examiner and no prior art was discussed during the interview. The Examiner expressed his opinion that the claims would read more clearly by bringing part

of the preamble into the claim elements by use of functional language. The Applicant's agreed to this suggestion since the functional language does not limit the claims in anyways.

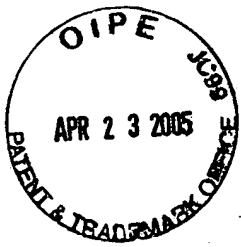
Respectfully submitted,

Date: _____

4/22/05


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APPLICATION NO : 10/626,094 CONFIRMATION NO: 8997
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COMMENTS OF STATEMENT OF REASONS FOR ALLOWANCE

Sir:

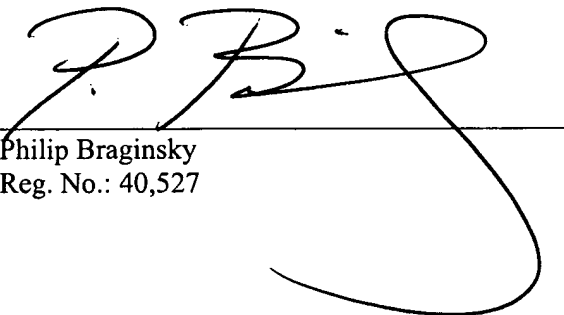
The Applicant respectfully submits that the amendments made on March 4, 2005, were made without reference to any cited prior art by the Examiner. The Examiner did not cite any prior art and the amendment was therefore not made to overcome any prior art. Thus no ground as to equivalents has been surrendered between the original claims and the

amended claims. These amendments merely moved functional language originally in the preamble of the claims to the claim elements in an effort to clarify the invention.

Respectfully submitted,

Date:

4/22/05



Philip Braginsky
Reg. No.: 40,527

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